

Rezoning Transportation Analysis
Petition Number: Insert Zoning Petition # 2021-021
General Location Identifier: Tax ID 07111412

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Revision Log:

Date	Description
03-19-21	First Review (EL)
04-19-21	Second Review (EL)
05-25-21	Third Review (EL)

General Review Information

The petition is located adjacent to Chamberlain Avenue, a City-maintained local street, South Turner Avenue, a City-maintained minor collector, and South Gardner Avenue, a City-maintained local street. The petition is in the Northwest Wedge inside Route 4. Applicable area plans include the Westside Strategy Plan.

Active Projects Near the Site:

- Stewart Creek Greenway (State Street to Yellowstone Drive)
 - https://www.mecknc.gov/ParkandRec/CapitalProjects/PublishingImages/Stewart_Creek_Board_4-8-19_Optimized.pdf
 - Out for Bid, expected Construction Spring 2021
 - Mecklenburg County/NCDOT project

CDOT's review of this rezoning petition is intended to provide consistency with council adopted policies, plans, standards and guidelines including, but not limited to, the [Transportation Action Plan \(TAP\)](#), [Vision Zero](#), [Urban Street Design Guidelines \(USDG\)](#), [Center, Corridor and Wedges](#), [Charlotte BIKES](#), [Traffic Impact Study Guidelines](#) and [Charlotte WALKS](#). With a commitment to design complete streets, this review is to ensure that the City's transportation network supports current and future land uses and includes streets that provide safe and comfortable mobility for motorists, pedestrians, bicyclists, and transit users.

This document is primarily for communication to Planning Department staff as part of the overall City staff analysis of the rezoning petition and includes an overall summary of the case from a transportation perspective, information on trip generation, and resolved or outstanding site plan concerns. Additional advisory information about the driveway permit process is provided for information only.

Based on our review of the petition, we offer the following information for your consideration.

Transportation Summary

The site is located on a City-maintained collector road (South Turner Avenue). A Traffic Impact Study (TIS) is triggered for this site due to the trip generation being over the 2,500 vehicle trips per day threshold. The TIS was approved by CDOT 4/20/2021. The petitioner has committed incorporating traffic calming measures along Turner Avenue and providing two pedestrian street crossings across Rozzelles Ferry Road at Turner Avenue and Stewart Avenue. CDOT is continuing coordination to identify the appropriate type of signalized pedestrian crossing treatments. The petitioner will also potentially establish off-site sidewalk connections in accordance with Charlotte WALKS, upon successful coordination with adjacent property owners during plan permitting. Site plan revisions are needed to meet ordinance requirements and/or the outstanding items including, but not limited to finalizing the conditions to install a shared-use path along Stewart Creek within unmaintained right-of-way and incorporating minor final edits to the plans. Further details are listed below.

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Trip Generation

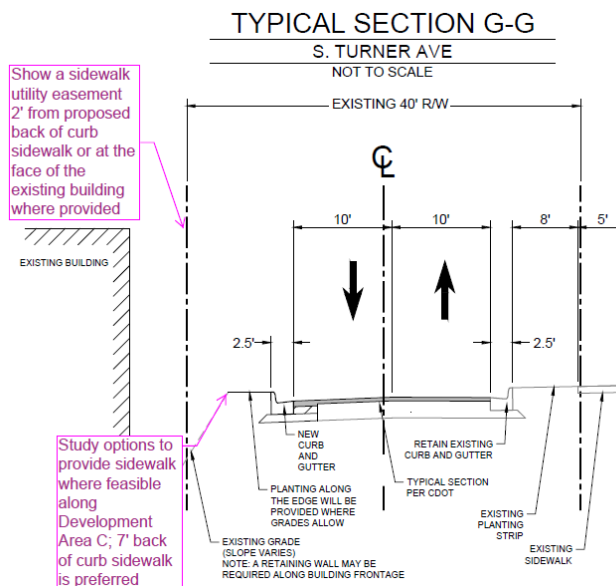
Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Warehouse	45,645 SF	120	Tax Record
Entitlement with Current Zoning	Commercial Maker Space [890]	23,000 SF	116	RZ 2016-112
	Apartments	200 DUs	1,336	
	Townhomes	40 DUs	290	
	Church	32,000 SF	292	
	Office	190,000 SF	2,138	
	Retail	45,000 SF	4,041	
Proposed Zoning	General Office	243,000 SF	2,511	Savona Mill TIS FINAL
	Shopping Center	47,000 SF	3,598	
	Apartments	650 DU	3,541	

Provide comments to the specified comments below.

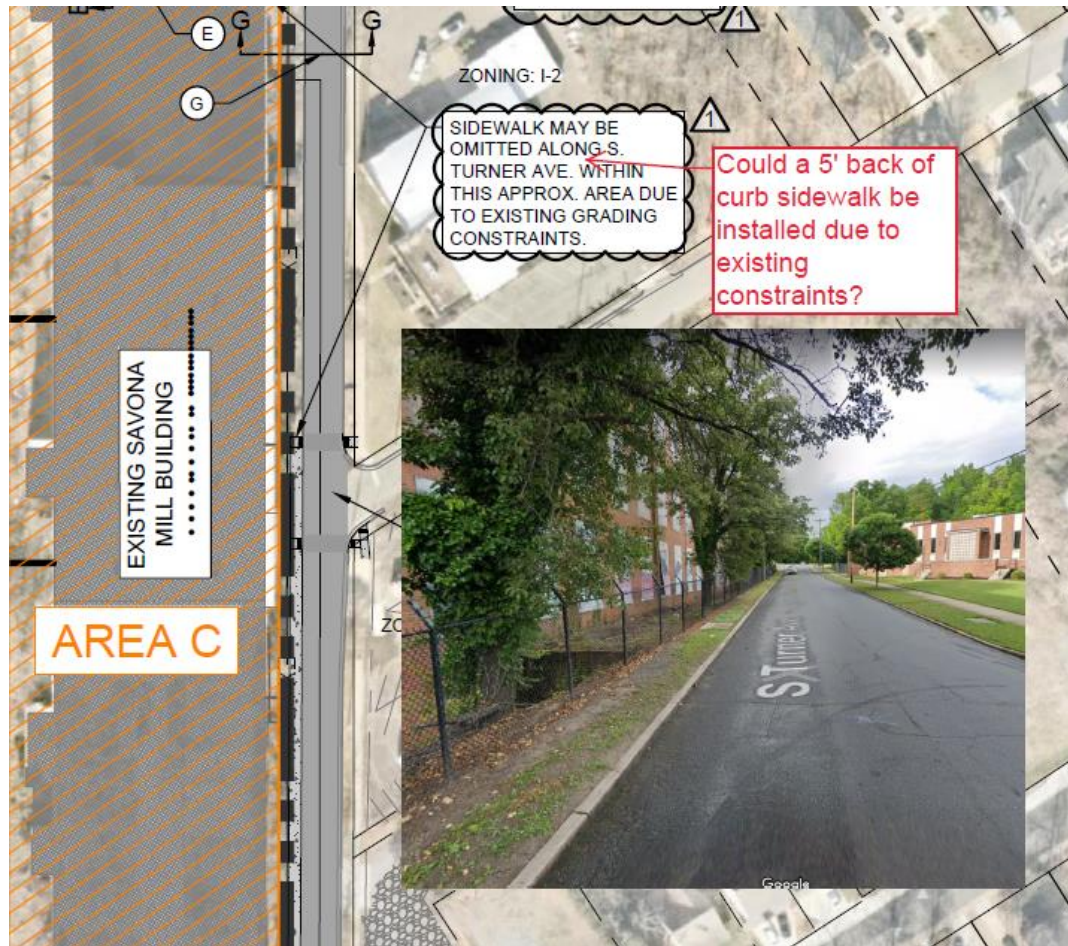
Outstanding Issues

Strikethrough = Resolved

1. ~~**Proposed Curblines and Cross Sections:**~~ The proposed zoning district has a setback measured from back of the existing or proposed future curbline.
 - a. ~~**Revised Comment**~~ (site plan dated 2021-04-13) ~~**South Turner Avenue:**~~ Location of curb and gutter and cross section comments are provided below. Along Development Area C, revise the site plan and conditional notes to install a back of curb sidewalk to the extent feasible. The minimum sidewalk width permitted is 5 feet. Please also provide a cross section along Development Area B A2 to include an 8-foot planting strip and 6-foot sidewalk.



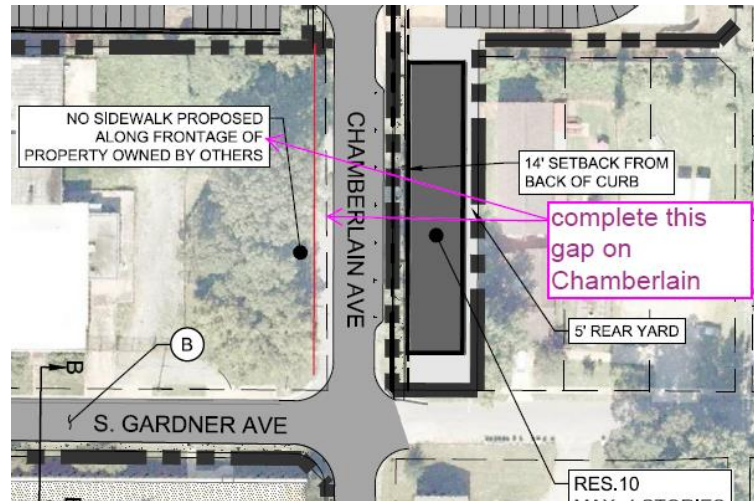
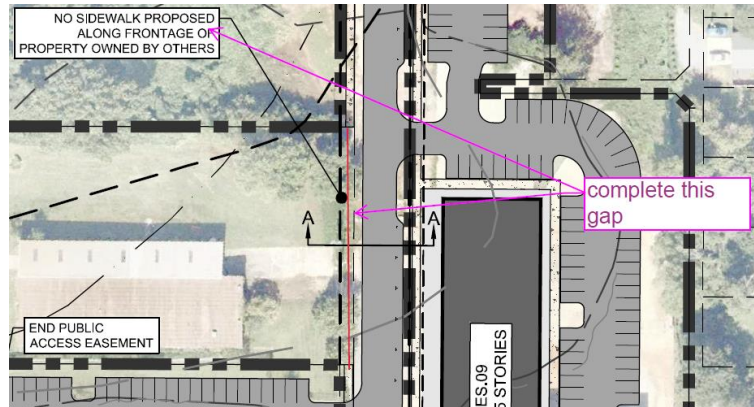
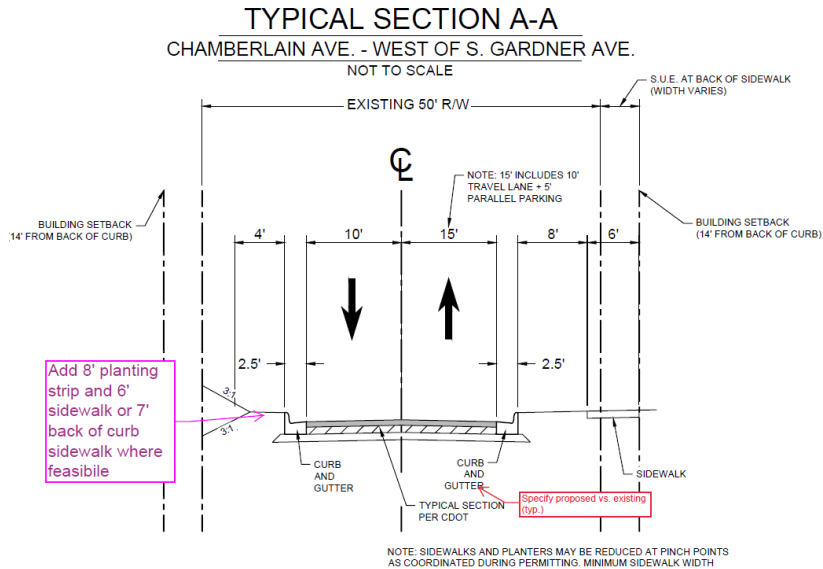
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- b. ~~**Chamberlain Avenue:** Location of curb and gutter and cross section comments are provided below. Please update the cross section to provide sidewalk on the south side of Chamberlain Avenue, to complete sidewalk network gaps fronting adjacent properties, in support the Charlotte WALKS Council-adopted policy.~~

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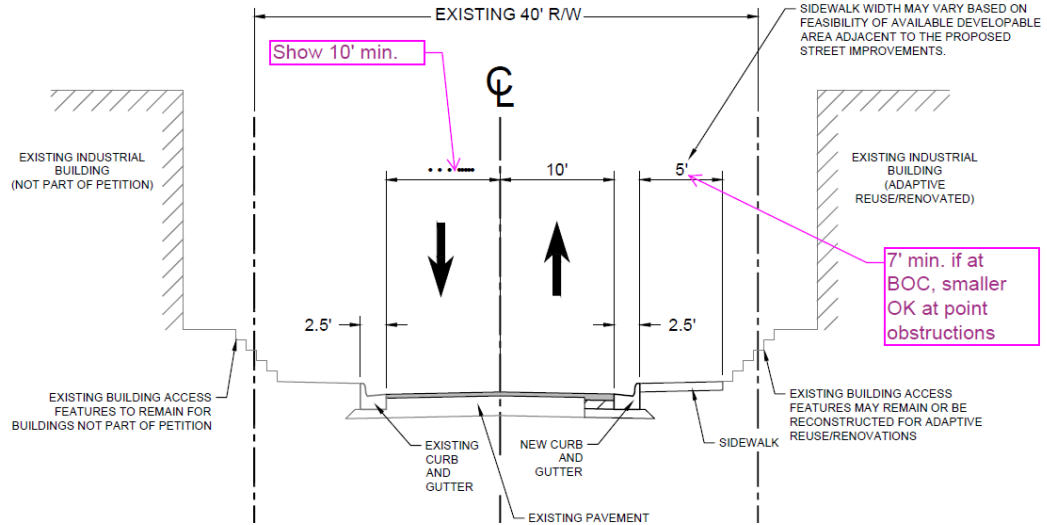
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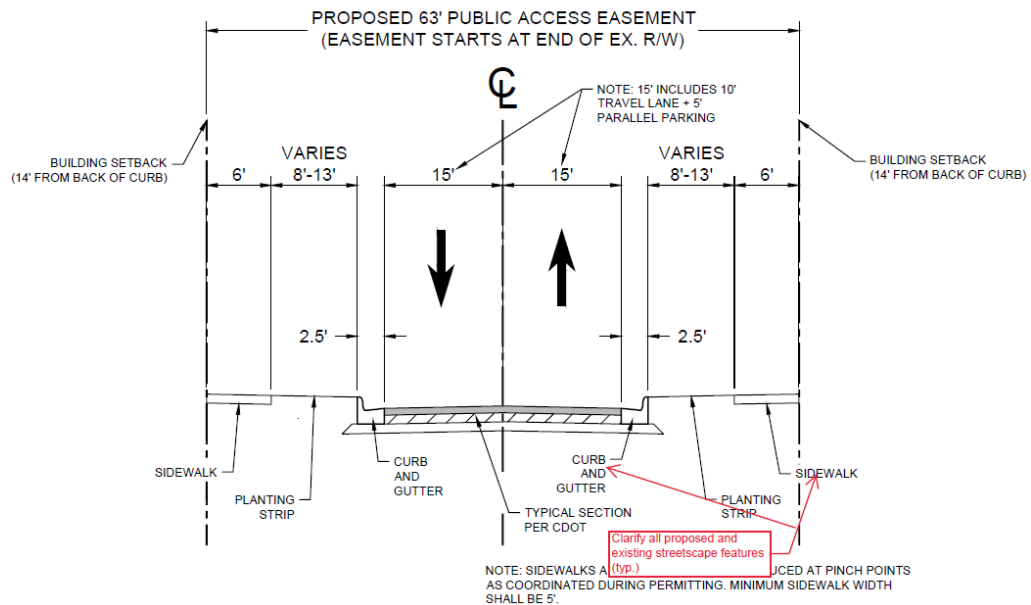
- c. **South Gardner Avenue:** Location of curb and gutter and cross section comments are provided below. Please update the cross section to provide sidewalk on the south side of Gardner Avenue, to complete sidewalk network gaps fronting adjacent properties, in support the Charlotte WALKS Council adopted policy.

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TYPICAL SECTION B-B
S. GARDNER AVE. - EX. BUILDING & ADAPTIVE REUSE CONDITION
NOT TO SCALE



TYPICAL SECTION C-C
S. GARDNER AVE. - NEW DEVELOPMENT
NOT TO SCALE



~~Label and dimension the curb and gutter from the centerline for each road on the site plan.~~

2. Traffic Study:

~~A Traffic Impact Study is necessary for the complete review of this petition due to the site generating more than 2,500 daily trips.~~

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Staff will receive the petition and begin review, but the public hearing will not be scheduled until the TIS is approved to allow for the minimum time necessary for CDOT to review the study and reach agreement with the petitioner on the required transportation commitments. ~~Any agreed upon commitments shall be included on the last site plan submitted no fewer than 4 weeks prior to the public hearing.~~ Therefore, additional traffic mitigation comments may be forthcoming once the TIS is approved by CDOT (and NCDOT).

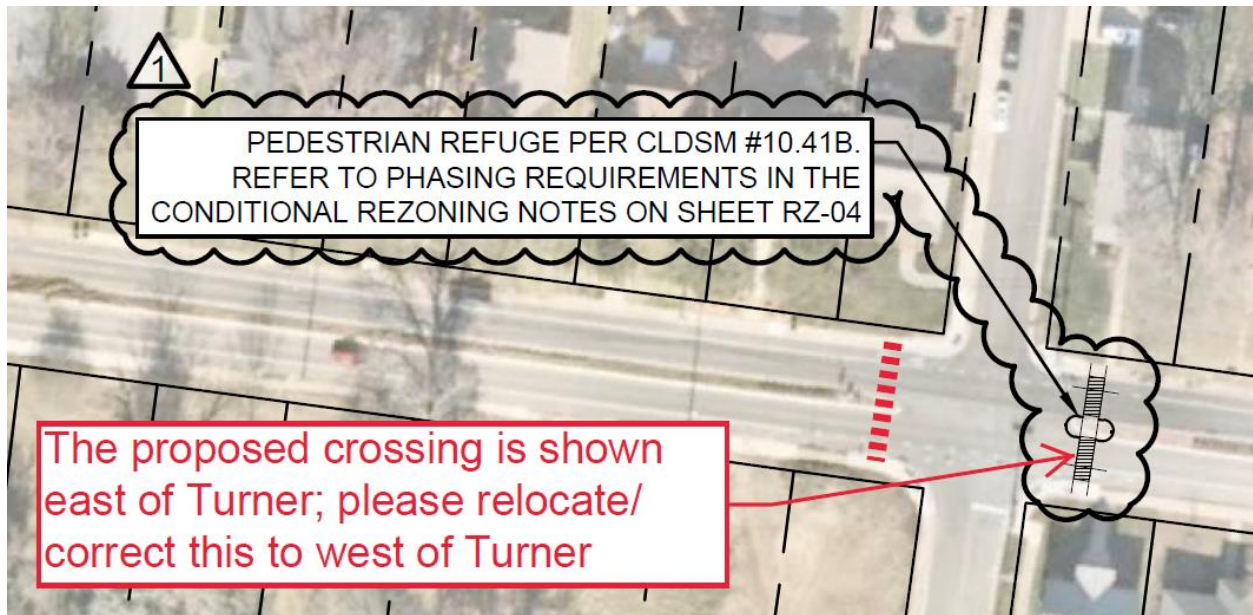
3. ~~Site plan revisions on sheet number **RZ-02** are needed to include the conceptual alignment “for reference” of the proposed Stewart Creek Greenway Enhancement, shown below.~~



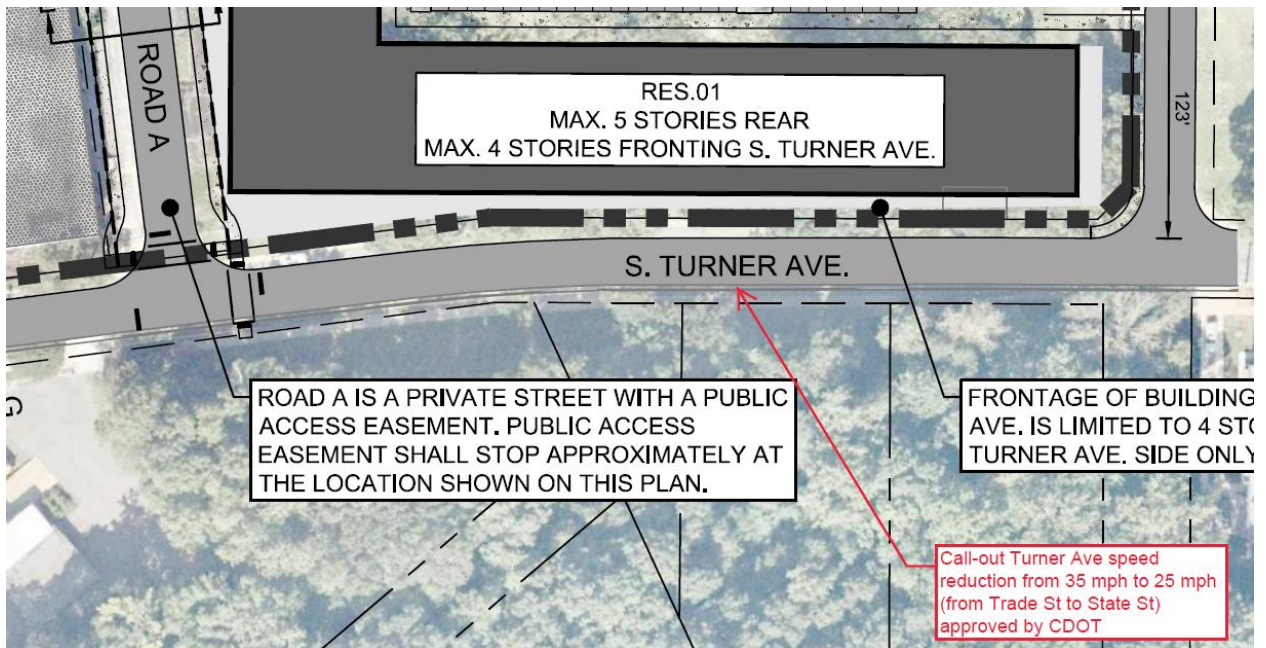
4. ~~**Revised Comment** (site plan dated 2021-04-13) Site plan and conditional note(s) revisions are needed on sheet numbers **RZ-02** and **RZ-04** to provide a pedestrian refuge crossing west of Turner Avenue, at the Rozzelles Ferry Road and Turner Avenue intersection, per the screenshot added below. per Charlotte WALKS and Vision Zero Council-adopted policies. This pedestrian refuge crossing must be constructed per CLDSM standards, with a pair of accessible ramps on both sides of the pedestrian refuge crossing on Rozzelles Ferry Road.~~



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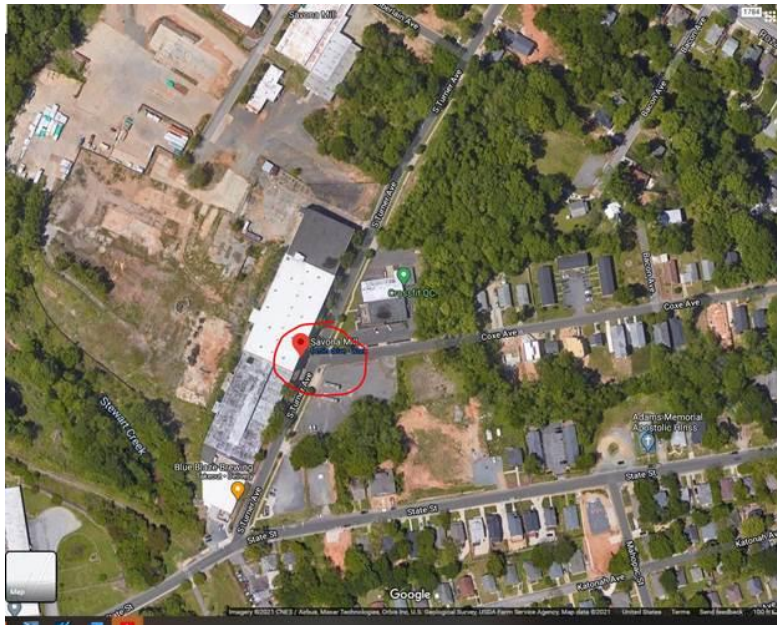
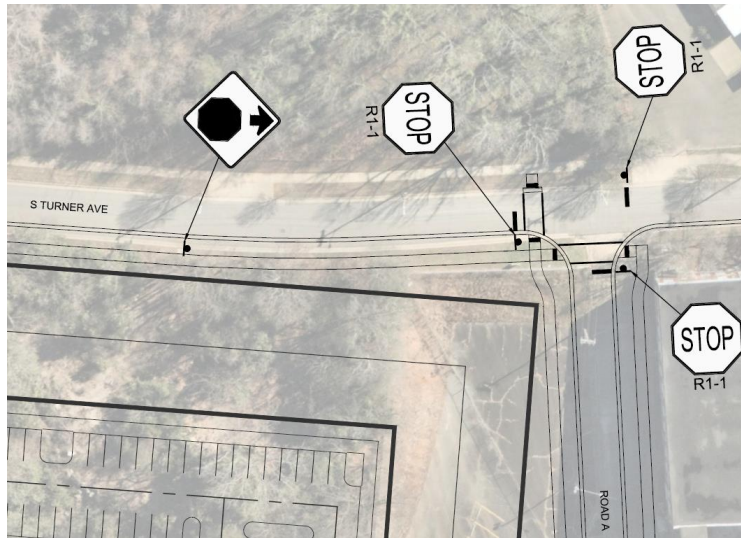
5. Site plan revisions on sheet number **RZ-02** are needed to call-out the CDOT-approved speed limit reduction (35 mph to 25 mph) on South Turner Avenue.



6. Site plan and conditional note(s) revisions on sheet numbers **RZ-02** and **RZ-04** are needed to call-out the CDOT-approved all-way stops at proposed Road A and South Turner Avenue and Coxe Avenue and South Turner Avenue, to provide additional traffic calming measures at the locations shown below.

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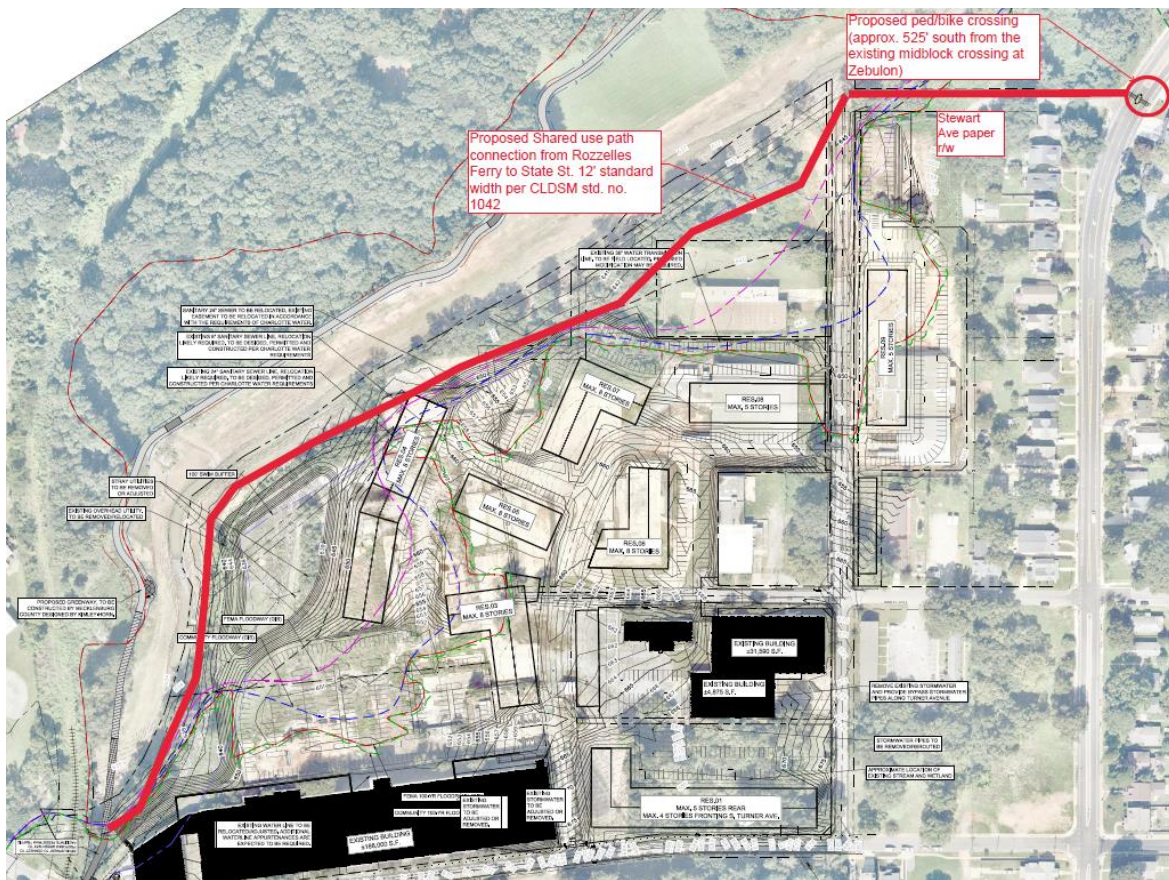
7. **Revised Comment** (site plan dated 2021-05-21) CDOT and the petitioner will need to review and confirm the paper right-of-way language proposed for Stewart Avenue improvements, as included within conditional note (**Section V.c.3.b**). Please review the conditional note to clarify maintenance responsibilities. The City will not accept maintenance for unmaintained right-of-way. Site plan and conditional note(s) revisions on sheet numbers **RZ-02** and **RZ-04** are needed to commit to constructing a 12-foot shared-use path connection per CLDSM standard detail number 10.42, Charlotte WALKS and Charlotte BIKES Council-adopted policies.

b. Construction of a north-south greenway alignment through the proposed Site, with a minimum width of 10' and constructed of materials such as asphalt, gravel, or concrete, in the location as generally depicted on the Rezoning Plan and phased per the Rezoning Plan. It is understood that the City of Charlotte is neither permitting nor denying the Petitioner from constructing this public path for the benefit of the public.

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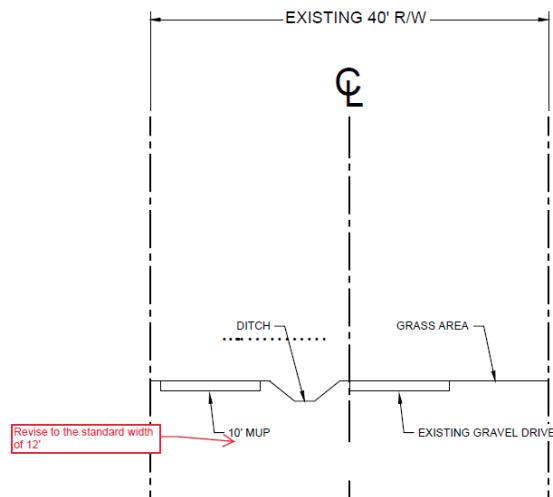
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TYPICAL SECTION H-H

STEWART AVE

NOT TO SCALE



8. **Outstanding Comment** Conditional note (**Section V.c.**) (**Section V.f.**) revisions are needed to include the language that is crossed off below, unless otherwise coordinated with Mecklenburg County Park and Recreation.

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(c) ~~The Petitioner shall dedicate and convey a permanent greenway easement for the 0.13-acre portion of land requested in coordination with the Mecklenburg County Park and Recreation Department (MCPD), as shown on the exhibit to MCPD's Memorandum dated June 25, 2019, and shall coordinate the feasibility of a temporary construction easement for the requested 0.03-acre portion of land to accommodate and/or complement MCPD's Stewart Creek Greenway plan, where commercially reasonable and consistent with the intent of this Rezoning Plan. [Completed]~~

(f) **Substantial Completion.** Reference to "substantially complete" for certain improvements as set forth herein shall mean completion of the roadway improvements as set forth herein, however, in the event certain non-essential roadway improvements (e.g., sidewalks, street lighting, etc.) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy in connection with related development phasing described above, then CDOT will allow issuance of certificates of occupancy for the applicable improvements.

why is this
crossed out?

~~9. Conditional note (**Section V.g.**) revisions are needed to clarify that if the Petitioner is unable to acquire right-of-way necessary for improvements, the Petitioner and the City will follow the processes and standards included within the City Real Estate services for Developers: An Overview and Developer Requirements To Acquire / Grant Utility Easements From Private Property Owners To The City Of Charlotte procedures.~~

(g) **Right-of-way Availability.** It is understood that some of the public roadway improvements referenced herein may not be possible without the acquisition of additional right-of-way. If after the exercise of diligent good faith efforts, as specified by the City of Charlotte right-of-way acquisition process as administered by the City of Charlotte's Engineering and Property Management Department, the Petitioner is unable to acquire any land necessary to provide for any such additional right-of-way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering Division or other applicable agency, department or governmental body agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition proceedings including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection (a) above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein above, then the Petitioner will contact the Planning Department and CDOT regarding an appropriate infrastructure phasing plan that appropriately matches the scale of the development proposed to the public infrastructure mitigations. If after contacting the Planning Department and CDOT to determine the appropriate infrastructure phasing plan, delays in the acquisition of additional right-of-way extends beyond the time that the Petitioner seeks to obtain a Certificate of Occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a Certificate of Occupancy is issued to secure completion of the applicable improvements.

~~10. **Outstanding Comment** Conditional note(s) revisions are needed to add all proposed sidewalk and planting strip improvements that are shown within the cross sections provided on sheet number RZ-05.~~

~~11. **Outstanding Comment** Conditional note (**Section V.c.**) revisions are needed to add all proposed traffic impact study improvements once the TIS is approved.~~

(c) **Off-site Improvements.** Petitioner shall provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:

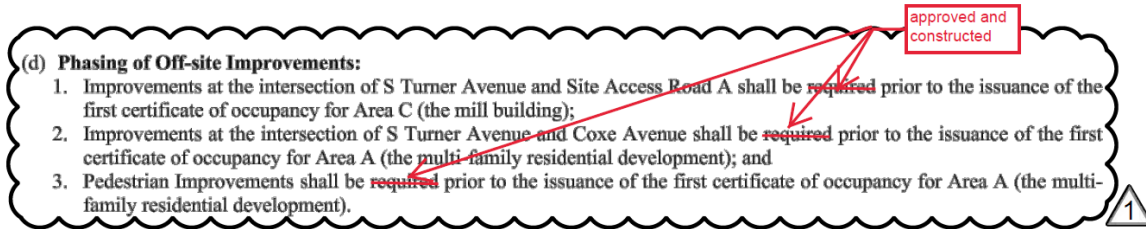
1. [Reserved, pending TIS recommendations].

~~12. Site plan note II. MUDD-O Optional Provisions (g)(3), includes the request to have flexibility on loading/unloading and service, including refuse collection. Two dumpster/recycling areas are shown on the proposed site plan. Please label all refuge and loading areas to ensure adequate areas are designated outside of the travel lanes of the internal private streets and public streets throughout the site.~~

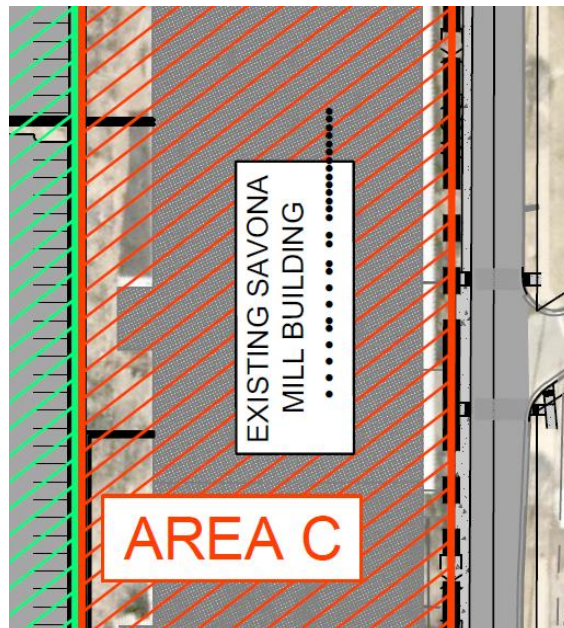
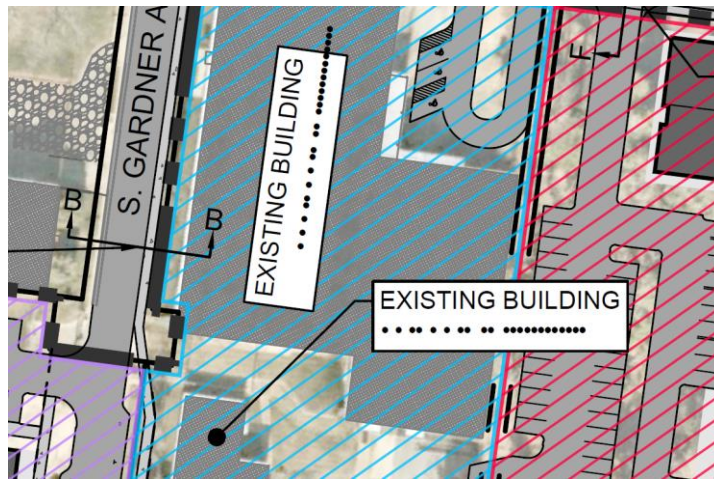
~~13. A site plan note(s) specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued is needed. CDOT requests rights-of-way set at 2' behind back of sidewalk where feasible.~~

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14. **Revised Comment** (site plan dated 2021-04-13) ~~Revise the conditional note language (**Section V. Transportation (d)(1-3)**) per below. A site plan note specifying that all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued is needed. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~



15. **New Comment** (site plan dated 2021-05-21) **Revise the site plan and conditional notes to correct plotting issues. Examples are provided below.**



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Advisory Information

The following are requirements of the developer that must be satisfied prior to driveway permit approval. These requirements shall be reflected on the rezoning plan, as appropriate.

1. CDOT has the authority to regulate/approve all private street/driveway and public street connections to the right-of-way of a street under the regulatory jurisdiction of the City of Charlotte, per the City of Charlotte's Driveway Regulations.
2. Adequate sight triangles must be reserved at the existing/proposed street entrance(s). Two 35' x 35' sight triangles (and two 10' x 70' sight triangles on NCDOT-maintained streets) are required for the entrance(s) to meet requirements. All proposed trees, berms, walls, fences, and/or identification signs shall not interfere with sight distance at the entrance(s) and shall be identified on the site plan.
3. The proposed driveway connection(s) to public streets will require a driveway permit(s) to be submitted to CDOT (and NCDOT on NCDOT-maintained streets) for review and approval. The exact driveway location(s) and type/width of the driveway(s) will be determined by CDOT during the driveway permit process. The locations of the driveway(s) shown on the site plan are subject to change in order to align with driveway(s) on the opposite side of the street and comply with City Driveway Regulations and the City Tree Ordinance.
4. All proposed commercial driveway connections to a future public street will require a driveway permit submitted to CDOT for review and approval.
5. Any fence or wall constructed along or adjacent to any sidewalk or street right-of-way requires a certificate issued by CDOT.
6. A Right-of-Way Encroachment Agreement is required for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City-maintained street right-of-way by a private individual, group, business, or homeowner's/business association. An encroachment agreement must be approved by CDOT prior to construction/installation. Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements.
7. The petitioner needs to complete and submit the [Right of way Abandonment Petition form](#) to CDOT for review. The decision of this rezoning petition does not correlate with the decision of the possible abandonment, as this decision is issued within the separate Right of Way Abandonment process that is controlled by North Carolina General Statutes.
8. To attain a street and pedestrian lighting recommendation, the petitioner should coordinate with Anthony Mendez, CDOT. Please visit the following link:
<https://charlottenc.gov/Transportation/Programs/Pages/StreetLighting.aspx>